

# METROPOLITAN WASHINGTON REGIONAL HIV HEALTH SERVICES PLANNING COUNCIL

## CONFLICT OF INTEREST POLICY & PROCEDURES

(Adopted by Planning Council 11-20-08)

*"The Planning Council is bound by the Legislative requirements of Ryan White Part A which expressly prohibits Planning Council participation in the selection of specific entities to receive Part A funding, or in the management of provider contracts."*

**Conflict of interest** is defined by the Planning Council Bylaws as *"an interest by a planning council member in an action that may result in personal, organizational, or professional gain."* The conflict of interest may be actual or perceived. Therefore, any council member who is affiliated with or who has a family member affiliated with an agency receiving or competing for Part A funds in a specific service category may not participate in decisions involving that service category. The affiliated member may not initiate discussion, introduce a motion or vote on the setting of service priorities, allocation of resources, or development of directives related to that service category.

- **"Affiliated"** is defined as being an employee, paid consultant, contractor, officer or board member, or a volunteer (20 or more hours per week) for an agency receiving or competing for Part A funds in a specific service category .
- **"Family member"** is defined as spouse, partner, mother, father, child, or sibling. Being a client of a provider is not considered a conflict of interest.

**Management of Conflict of Interest:** The Planning Council manages conflict of interest by requiring members to abide by the conflict of interest standards described in the Bylaws and to the guidelines for the management of conflict of interest described below.

1. Each Planning Council member must file a new or updated Conflict of Interest Disclosure Form by March 1<sup>st</sup> of each year. Those with no conflict of interest must prepare a form with the notation "NONE", sign, date and submit said form. Planning Council members will be able to submit the required form at the February Planning Council meeting immediately before the March 1<sup>st</sup> deadline. Members absent from that meeting will be responsible for completing and filing a form on or before the deadline.
2. Forms are to be submitted to the Planning Council Coordinator at HAA. The Coordinator will ensure proper distribution of each form to (1) the Office of Boards and Commissions in the Executive Office of the Mayor of the District of Columbia, CEO of the EMA; (2) the Planning Council Logistics Coordinator; (3) Planning Council Chair and Community Co-Chair; (4) the Administrative Agent for the member's applicable jurisdiction. In each instance, copies of the member's declaration(s) are to be retained in the member's file.
3. If the member's affiliation changes, the member must submit a revised declaration form within 30 days of the effective date of the change.

4. Conflict of interest is to be addressed at new member orientation and as part of any ongoing member development. New members are to complete, sign and submit Conflict of Interest Disclosure Form during their orientation session.
5. At the beginning of each meeting of the Planning Council, the Chair or Community Co-Chair presiding shall direct each member to (1) state his/her name; (2) identify his/her Planning Council membership category and position, if any; (3) and state whether he/she does or does not have a conflict of interest.
6. Any affiliated member with a potential conflict of interest must verbally disclose such at the beginning of any affected discussion.
7. Upon disclosure of his/her affiliation and conflict of interest(s), the Planning Council member may engage in discussion of issues pertinent to the types of services provided by his/her agency but must comply with the limitations imposed and specified below.
8. An affiliated Planning Council member may not make or second a motion on issues directly related to services provided by the agency with which he/she is affiliated
9. An affiliated Planning Council member may not vote on issues directly related to services provided by the agency with which he/she is affiliated.
10. During priority setting, resource allocation, directive formulation, or reallocation of funds, an affiliated Planning Council member may not initiate discussion about service category(ies) in which they have a conflict of interest.
11. During priority setting, resource allocation, directive formulation, or reallocation of funds, an affiliated Planning Council member may not vote on a motions involving a service category(ies) in which they have a conflict of interest.
12. During priority setting or resource allocation, an affiliated Planning Council member may vote on a slate of priorities or allocations that includes multiple service categories even if they have a conflict of interest with one or more, but not all, of the grouped categories.
13. The obligations of Planning Council members under the Conflict of Interest Policy shall extend to any discussions with other Planning Council Members regardless of location.
14. Any perceived violation of the Planning Council's Conflict of Interest Policy and Procedures is to be addressed and resolved using the Planning Council's Grievance Policy and Procedures.